



Notice of Price Agreement Award

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Printed: 11/24/2003

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CAPITOL HILL
PROVIDENCE RI 02908

V E N D O R	MARIEVILLE TOWING & SERVICE INC 900 CHARLES STREET NORTH PROVIDENCE RI 02904	SNOW PLOWING/SANDING/REMOVAL	
		Award Number 68M00290282	Effective Period: 11/1/03 - 5/31/04

S H I P T O	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA	Date: 11/14/2003 Buyer: NANCY MCINTYRE Shipping: F.O.B., Destination Terms: Net 30	I N V O I C E	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-159	B03024
Item		Unit	Unit Price
	<p>11/01/03 - 05/31/04 - WITH OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR</p> <p>MASTER PRICE AGREEMENT #159</p> <p>THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE.</p> <p>ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee.</p> <p>CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor.</p> <p>AUTHORIZATION AND RELEASE. In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.</p> <p>A Direct Purchase Order (DPO) shall be created by the agency listing the items ordered, using the pricing and format set forth in the Master Blanket. All pricing shall be as described in the Master Blanket and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected in Master Blanket.</p>		

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at www.purchasing.state.ri.us. Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

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STATE PURCHASING AGENT/DESIGNEE



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Department		Bid Number	Requisition Number
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Item		Unit	Unit Price
	<p>STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only).</p> <p>THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE.</p> <p>REPORTS - The Vendor agrees to provide the State with quarterly reports describing activity against this Price Agreement. If this is a Master Price Agreement, such reports shall include usage by municipalities, quasi-public agencies, schools, etc. All reports shall contain the following data: (1) Billing volume in dollars and (2) quantity shipped for each line item in the price agreement. When there are no line items in the price agreement, vendor shall report volume by catalog order numbers, with a brief description of each order number.</p> <p>Reports must be submitted to the RI Division of Purchases to the attention BUYER named in this notice, identifying the Agreement number and the Reporting Period. Quarterly reports shall be due 45 calendar days after the end of each quarter. Failure to submit required reports shall be considered a breach of the contractor's obligations and may be considered, at the discretion of the State Purchasing Agent, sufficient cause for the termination of the agreement and other outstanding agreements and orders, and possible suspension from participation in additional State procurements.</p> <p>ANNUAL RENEWAL INSURANCE CERTIFICATES FOR WORKERS' COMPENSATION, PUBLIC LIABILITY, PROPERTY DAMAGE INSURANCE, AUTO INSURANCE, PROFESSIONAL LIABILITY INSURANCE (AKA ERRORS & OMISSIONS), BUILDER'S RISK INSURANCE, SCHOOL BUSING AUTO LIABILITY, ENVIRONMENTAL IMPAIRMENT (AKA POLLUTION CONTROL), VESSEL OPERATION (MARINE OR AIRCRAFT) PROTECTION & INDEMNITY, ETC., MUST BE SUBMITTED TO THE SPECIFIC AGENCY IDENTIFIED IN THE "BILL TO" SECTION OF THE PURCHASE ORDER. CERTIFICATES ARE ANNUALLY DUE PRIOR TO THE BEGINNING OF ANY CONTRACT PERIOD BEYOND THE INITIAL TWELVE-MONTH PERIOD OF A CONTRACT. FAILURE TO PROVIDE ANNUAL INSURANCE CERTIFICATION MAY BE GROUNDS FOR CANCELLATION.</p>		

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Department			Bid Number	Requisition Number
ADMINISTRATION		MPA-159	B03024	
Item			Unit	Unit Price
	AWARDS EXTENDING BEYOND JUNE 30TH ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES; OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES. EVERY PERSON OR BUSINESS ENTITY PROVIDING GOODS OR SERVICES AT A COST OF \$5000 CUMULATED VALUE IS REQUIRED TO FILE AN AFFIDAVIT REGARDING POLITICAL CAMPAIGN CONTRIBUTIONS WITH THE RI STATE BOARD OF ELECTIONS EVEN IF NO REPORTABLE CAMPAIGN CONTRIBUTIONS HAVE BEEN MADE. (RI GENERAL LAW 17-27) FORMS OBTAINED AT BOARD OF ELECTIONS, CAMPAIGN FINANCE DIVISION, 50 BRANCH AVENUE, PROVIDENCE, RI 02904 (401-222-2056) DEPARTMENT OF ADMINISTRATION CENTRAL SERVICES & PROPERTY MANAGEMENT VARIOUS LOCATIONS - SEE BELOW ALL LOCATIONS, ALL WORK BY REQUEST ONLY CONTACT PERSONS: NORMAN TREMBLAY - (401) 222-6238 JOE CASALI - (401) 222-6234 BOARD OF ELECTIONS - SIDEWALKS AND PARKING LOT:			
11.0	3 - 6" - PLOWING PER STORM		EA	125.00
12.0	7 - 9 " - PLOWING PER STORM		EA	150.00

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Award Number Effective Period:
68M00290282 11/1/03 - 5/31/04

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ADMINISTRATION
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Date: 11/14/2003
Buyer: NANCY MCINTYRE
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Terms: Net 30

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ADMINISTRATION
MASTER PRICE AGREEMENT
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-159	B03024
Item		Unit	Unit Price
13.0	10 - 12" - PLOWING PER STORM	EA	150.00
14.0	OVER 12" - PLOWING PER STORM	EA	175.00
15.0	SANDING/SALTING - PER APPLICATION	EA	90.00
15.1	REMOVAL OF SNOW FROM PREMISES	HOUR	250.00
	DEPARTMENT OF EDUCATION/VOCATIONAL AND ADULT EDUCATION: WILLIAM DAVIES SCHOOL JENCKES HILL ROAD LINCOLN, RI 02865 PLOWING AND SANDING OF PAVED AREAS AT THE DAVIES VOCATIONAL SCHOOL BY REQUEST: SNOW WILL BE PLOWED ONE AND ONE HALF (1 1/2) HOURS PRIOR TO 7:30 AM SCHOOL OPENING OR PENDING WEATHER CONDITIONS AT THAT TIME. SALTING/SANDING BY REQUEST. REMOVAL OF SNOW FROM PREMISES BY REQUEST. VENDOR IS TO BE CONTACTED BY: MR. BILL OKERHOLM AS NEEDED (401) 728-1500 EXT 249		
73.0	2 - 6" - PLOWING PER STORM	EA	650.00

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Date: 11/14/2003
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Terms: Net 30

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-159	B03024
Item		Unit	Unit Price
74.0	7 - 9 " - PLOWING PER STORM	EA	1,050.00
75.0	10 - 12" - PLOWING PER STORM	EA	1,500.00
76.0	OVER 12 " - PLOWING PER STORM	EA	2,100.00
77.0	SANDING/SALTING - PER APPLICATION	EA	600.00
77.1	REMOVAL OF SNOW FROM PREMISES E911 OFFICE 1951 SMITH STREET NORTH PROVIDENCE, RI EFFECTIVE THIS SEASON, AWARDED VENDOR MUST CHECK IN WITH ONE OF THE CONTACTS LISTED BELOW UPON ARRIVAL. UPON SATISFACTORY COMPLETION, VENDOR MUST HAVE AGENCY CONTACT SIGN AND DATE WORK ORDER - NO EXCEPTIONS. AWARDED VENDOR WILL NOT RECEIVE PAYMENT UNLESS THESE PROCEDURES ARE FOLLOWED. PARKING AREA, ENTRANCE ROAD, AND SIDEWALKS. SIDEWALKS MUST BE CLEARED AND SANDED EACH TIME PLOWING IS DONE. AUTOMATIC PLOWING WHEN SNOW HEIGHT IS OVER 3 INCHES. UNDER 3"- SANDING BY REQUEST. REMOVAL OF SNOW FROM PREMISES BY REQUEST. FACILITY OPERATES 24 HOURS PER DAY.	HOUR	250.00

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ADMINISTRATION
MASTER PRICE AGREEMENT
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-159	B03024
Item		Unit	Unit Price
	PRIMARY CONTACT PERSON: PATRICIA TIROCCHI (401) 354-0911 OR (401) 354-0935, (401) 354-0969 ALTERNATE CONTACTS: GREGORY SCUNGIO WALTER BROWN, JR ALLEN LOPES DEBORAH SMITH LYNN DEE TORTOLANNI DIANE GOULD ANGELA PENNACCHINI		
132.0	3 - 6" - AUTOMATIC PLOWING PER STORM	EA	110.00
133.0	7 - 9 " - AUTOMATIC PLOWING PER STORM	EA	130.00
134.0	10 - 12" AUTOMATIC PLOWING PER STORM	EA	150.00
135.0	OVER 12 " - AUTOMATIC PLOWING PER STORM	EA	175.00
136.0	SALTING AND SANDING PER APPLICATION	EA	100.00
136.1	REMOVAL OF SNOW FROM PREMISES	HOUR	225.00

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Department			Bid Number	Requisition Number
ADMINISTRATION		MPA-159	B03024	
Item			Unit	Unit Price
	DEPARTMENT OF ATTORNEY GENERAL 150 SOUTH MAIN ST PROVIDENCE, RI 02903 SIDEWALKS, PARKING LOT, HANDICAP RAMP, STAIRS (FRONT AND SIDE OF BUILDING) PLOWING WILL BE AUTOMATIC WHEN SNOW REACHES TWO (2) INCHES. SNOW WILL BE PLOWED ONE (1) HOUR PRIOR TO 7:30 AM OFFICE OPENING. SIDEWALKS MUST BE CLEARED EACH TIME PLOWING IS DONE. NOTE: SAND/SALT COMBINATION WILL BE REQUIRED IN ALL PARKING LOTS AND WILL BE MONITORED BY THE AGENCY. FOR ALL SIDEWALKS AND WALKWAYS, VENDOR WILL BE RESPONSIBLE TO PROVIDE AND EVENLY APPLY 90-92% PELLETIZED CALCIUM CHLORIDE ONLY (NO SALT/SAND COMBINATION). SANDING AND SALTING/CALCIUM CHLORIDE APPLICATION AUTOMATIC WHEN SLIPPERY CONDITIONS EXIST. FACILITY OPERATES 24 HOURS PER DAY - 7 DAYS PER WEEK. CONTACT PERSON: BILL MASSE (401) 274-4400 EXT 2216 AFTER HOURS VENDOR TO CHECK IN WITH B.C.I. UPON COMPLETION OF WORK (6:00 PM TO 6:00 AM)			
142.0	2-6" - PLOWING PER STORM		EA	150.00
143.0	7-9"-PLOWING PER STORM		EA	150.00

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144.0	10-12" PLOWING PER STORM		EA	175.00
145.0	OVER 12" PLOWING PER STORM		EA	175.00
146.0	SANDING/SALTING PER APPLICATION		EA	150.00
147.0	CALCIUM CHLORIDE - PER APPLICATION		EA	50.00
	REMOVAL OF SNOW FROM PREMISES AUTOMATIC AT TEN (10) INCHES. SNOW REMOVAL BELOW 10" MAY BE REQUIRED BUT WILL BE ONLY BY SPECIFIC REQUEST OF OWNER.			
147.1	REMOVAL OF SNOW FROM PREMISES		HOUR	250.00
	SPECIAL TERMS/INSTRUCTIONS/REQUIREMENTS VENDOR'S INVOICE SHALL REFLECT ONLY THE ACTUAL AREAS COMPLETED. SANDING/SALTING MUST BE THOROUGH AND COMPLETE. EVEN DISTRIBUTION OF THE MIX OVER THE ENTIRE SURFACE OF AN AREA IS REQUIRED. HIT OR MISS APPLICATIONS WILL NOT BE ALLOWED. 1. UNSATISFACTORY WORK, WHETHER IT BE PLOWING, SANDING OR REMOVAL WILL REQUIRE IMMEDIATE RETURN OF VENDOR TO CORRECT THE SITUATION, AT NO ADDITIONAL CHARGE TO THE STATE. VENDOR MUST NOTIFY AGENCY ADMINISTRATION IF ANY AREA IS IN ACCESSIBLE.			

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	<p>2. ANY REQUEST FOR SANDING OR SALTING MEANS A MIXTURE OF SAND & SALT. MINIMUM SAND/SALT MIXTURE IS THREE (3) PARTS SAND TO ONE (1) PART SALT, UNLESS OTHERWISE STATED IN THIS AGREEMENT FOR A SPECIFIC LOCATION.</p> <p>3. VENDOR MUST SUBMIT EACH INVOICE TO AGENCY WITHIN 48 HOURS OF COMPLETION AND MUST INDICATE DATE OF SERVICE AND SNOWFALL ACCUMULATION ON INVOICE FOR AGENCY VERIFICATION. IT IS IMPERATIVE THAT THIS PROCEDURE BE FOLLOWED. ANY DIFFERENCES THAT ARISE BETWEEN VENDOR INVOICES AND AGENCY INFORMATION CAN BE RESOLVED MORE EASILY WHEN INVOICES ARE SENT ON A TIMELY BASIS.</p> <p>4. QUARTERLY REPORTS: VENDOR WILL SUBMIT IN WRITING TO THE PURCHASING DIVISION QUARTERLY REPORTS SHOWING BID NUMBER AND BILLING VOLUME, IN TOTAL, BY MONTH FOR THE STATE AGENCIES. FAILURE TO SUBMIT SUCH REPORTS SHALL BE CONSIDERED TO BE A BREACH OF THE CONTRACTOR'S OBLIGATIONS UNDER THE RESULTANT AGREEMENT(S), AND SUFFICIENT CAUSE FOR TERMINATION OF THE AGREEMENT, AND ALL OTHER OUTSTANDING AGREEMENTS, PURCHASE ORDERS, AND CONTRACTS, AND SUSPENSION FROM PARTICIPATION IN ALL STATE PROCUREMENTS FOR A PERIOD OF UP TO TWO (2) YEARS, AT THE DISCRETION OF THE STATE'S PURCHASING AGENT.</p> <p>REPORTS SHOULD BE FORWARDED TO THE BUYER AT THE DIVISION OF PURCHASES, ONE CAPITOL HILL, PROVIDENCE, RI 02908</p> <p>5. PLOWING REFERS TO THE CLEARING OF A LOCATION BY MOVEMENT AND/OR PILING OF SNOW AT THE SAME LOCATION.</p> <p>REMOVAL FROM PREMISES REFERS TO THE LOADING OF PLOWED SNOW ONTO TRUCKS AND DUMPING AT ANOTHER LOCATION. ANY VENDOR AWARDED REMOVAL ITEMS MUST HAVE ALL EQUIPMENT AND PERSONNEL NECESSARY.</p> <p>DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES TO THE RECEIVING AGENCY.</p>		

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	<p>ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED.</p> <p>VENDOR CONTACT: DAVID PESCE TELEPHONE #: 726-4464 CELL PHONE #: 524-1523 EMERGENCY #: 232-1664 PAGER: 544-0473 MOBILE PHONE #: 529-8843 FAX #: 723-2650 E-MAIL: jpesce5112@aol.com</p> <p>ALTERNATE CONTACT: HELDER ANDRADE TELEPHONE #: 727-1750</p>		

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TERMS AND CONDITIONS OF PRICING AGREEMENT

SCOPE AND LIMITATIONS - This Agreement covers requirements as described herein, ordered by State agencies during the Agreement Period. No additional or alternative requirements are covered, unless added to the Agreement by formal amendment by the State Purchasing Agent or his designee.

Under State Purchasing Law, 37-2-54, "no purchase or contract shall be binding on the state or any agency thereof unless approved by the department [of administration] or made under general regulations which the chief purchasing officer may prescribe." Under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state."

PRODUCT ACCEPTANCE - All merchandise offered or otherwise provided shall be new, of prime manufacture, and of first quality unless otherwise specified by the State. The State reserves the right to reject all nonconforming goods, and to cause their return for credit or replacement, at the State's option.

- a) Failure by the state to discover latent defect(s) or concealed damage or non-conformance shall not foreclose the State's right to subsequently reject the goods in question.
- b) Formal or informal acceptance by the State of non-conforming goods shall not constitute a precedent for successive receipts or procurements.

Where the vendor fails to cure the defect promptly or replace the goods, the State reserves the right to cancel the Release, contract with a different vendor, and to invoice the original vendor for any differential in price over the original contract price.

ORDER AUTHORIZATION AND RELEASE AGAINST PRICING AGREEMENT

In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.

State Agencies shall request release as follows: All releases shall reference the Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein.

A Department Purchase Order (DPO) listing the items ordered shall be created by the agency. The agency may mail or fax a copy of the order to the Vendor. In some cases the agency may request delivery by telephone, but must provide the Vendor with a DPO Order Number reference for billing purposes. Vendors are encouraged to require written orders to assure payments are processed accurately and promptly.

DELIVERY – If this is an MPA, Vendor will obtain "ship to" information from each participating agency. This information will be contained in the DPO. APA delivery information will be contained in the Notice of Award.

PRICING - All pricing shall be as described herein, and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected herein.

INVOICING – All invoices shall reference the DPO Order Number(s), Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein. If this is an MPA, Vendor will obtain "bill to" information from each participating agency. This information will be contained in the DPO. APA billing information will be contained in the Notice of Award.

PAYMENT - Invoices for items not received, not priced according to contract or for work not yet performed will not be honored. No payment will be processed to any vendor for whom there is no IRS W-9 on file with the State Controller.